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05/20/2001 12:30

## DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. KEENP001X1

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: "MOLECULAR WIRE INJECTION SENSORS" the specification of which,

(check one)

1. ☒ is attached hereto.
2. ☐ was filed on \_\_\_\_\_ as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, CFR § 1.56.

### Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

			Priority Benefits Claimed?
			Yes ___ No ___
_____ (Application No.)	_____ (Country)	_____ (Filing Date)	
_____ (Application No.)	_____ (Country)	_____ (Filing Date)	Yes ___ No ___

### Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

_____ (Application No.)	_____ (Filing Date)
_____ (Application No.)	_____ (Filing Date)

**Prior U.S. Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/365,109</u> (Application No.)	<u>July 30, 1999</u> (Filing Date)	<u>Pending</u> (Status - patented, pending, abandoned)
<u>08/856,822</u> (Application No.)	<u>May 14, 1997</u> (Filing Date)	<u>Patented (USP 6,060,327)</u> (Status - patented, pending, abandoned)

**Power of Attorney**

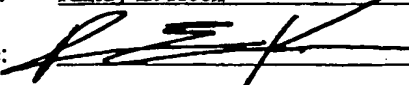
And I hereby appoint the law firm of **Beyer Weaver & Thomas, LLP** and all practitioners who are associated with the Customer Number 022434 as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Direct Correspondence To:** **Customer Number: 022434**  
**BEYER WEAVER & THOMAS, LLP**  
P.O. Box 778  
Berkeley, CA 94704-0778

**Direct Telephone Calls To:** **Jeffrey K. Weaver (510) 843-6200**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Typewritten Full Name of**

**Sole or First Inventor:** Randy E. Keen **Citizenship:** USA  
**Inventor's signature:**  **Date of Signature:** Sept. 19, 2001  
**Residence:** (City) San Diego (State/Country) California, USA  
**Post Office Address:** 5706 Ferber Street, San Diego, CA. 92122-3810



RECEIVED JUL 31 1997

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

JULY 25, 1997

PTAS



\*100446756A\*

HICKMAN BEYER & WEAVER  
JEFFREY K. WEAVER  
P.O. BOX 61059  
PALO ALTO, CA 94306

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/15/1997

REEL/FRAME: 8565/0035  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
KEEN, RANDY E.

DOC DATE: 05/13/1997

ASSIGNEE:  
KEENSENSE, INC.  
4186 SORRENTO VALLEY BOULEVARD  
SUITE G  
SAN DIEGO, CALIFORNIA 92121-1414

SERIAL NUMBER: 08855822  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

HICKMAN BEYER & WEAVER

U.S.: 4 FOREIGN: 1  
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05/15/97

ASSIGNMENT RE  
-PAT

07-01-1997



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66474 U.S. PTO  
08/856822  
05/15/97

To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

1. Name of conveying party(ies)  
a) Keen, Randy E.
2. Name and address of receiving party(ies):  
a) Name: KeenSense, Inc.  
Address: 4186 Sorrento Valley Boulevard  
Suite G  
San Diego, California 92121-1414

3. Nature of conveyance  
☒ Assignment  
☐ Security Agreement  
☐ Other  
Merger  
Change of Name

Execution Date: May 13, 1997

4. Application Number(s) or Patent Number(s):

If this document is being filed together with a new application, the execution date of the application is: May 13, 1997. The title of the new application is MOLECULAR WIRE INJECTION SENSORS:

- a) Patent Application No.(s):
- b) Patent No.(s)

5. Please send all correspondence concerning this (these) documents to:

Jeffrey K. Weaver  
HICKMAN BEYER & WEAVER  
P. O. Box 61059  
Palo Alto, CA 94306  
Tel. No: (510) 843-6200  
Fax No: (510) 843-6203

6. Total number of applications and patents involved: 1

11214 3-12-11

06/24/1997 PSTANBAC 00000093 08856822 40.00 DP 04 FC:581

Total fee (37 CFR 3.41): \$40.00

☒ Enclosed  
☐ Authorized to be charged to Deposit Account No. 08-2120  
(Order No. KEENP001)

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: May 14, 1997

Jeffrey K. Weaver  
Jeffrey K. Weaver  
Registration No. 31,314

**ASSIGNMENT OF PATENT APPLICATION**  
(Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set forth in the patent application entitled:

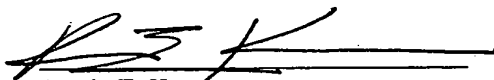
**MOLECULAR WIRE INJECTION SENSORS**

for which I (we) have executed an application for a United States Letters Patent.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/We the undersigned inventor(s) hereby:

- 1) Sell(s), assign(s) and transfer(s) to KeenSense, Inc., a California corporation having a place of business at 4186 Sorrento Valley Boulevard, Suite G, San Diego, California 92121-1414, (hereinafter referred to as 'ASSIGNEE'), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division(s), continuation(s), substitutes(s) or reissue(s) thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative and applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor(s), as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside my (our) signature(s).

1) Signature:  Date: 05/13/97  
Typed Name: Randy E. Keen

County of San Diego,  
State of California, )SS.

On this 13<sup>th</sup> date of May, in the year 1997, before me, Maria Rivas, Notary Public personally appeared Randy E. Keen, ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/~~she~~ executed the same in his/~~her~~ authorized capacit(ies), and that by his/~~her~~ signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

